

KATZ BANKS KUMIN

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By Electronic Case Filing
December 6, 2023

Honorable Sarah L. Cave
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: Charlotte Bennett v. Andrew M. Cuomo, et al., 22 Civ. 07846 (SLC)

Dear Judge Cave:

We represent Plaintiff Charlotte Bennett (“Plaintiff”) in the above-captioned matter and write to provide the Court with a brief update regarding the discovery dispute between Plaintiff and Defendant DeRosa pertaining to two subpoenas (“the Subpoenas”) that Defendant DeRosa served on the undersigned counsel, Ms. Katz, and Ms. Katz’s law firm, Katz Banks Kumin LLP.

On November 14, 2023, this Court issued an Order, Doc. 133, requiring Plaintiff to serve on Defendant DeRosa by December 1, 2023, a privilege log reflecting documents responsive to the Subpoenas “dated between the date on which Ms. Bennett engaged Ms. Katz and/or KBK to represent her . . . and March 15, 2021.” The Order also required Plaintiff and Defendant DeRosa to meet and confer by December 8, 2023, to agree upon sixteen entries from the privilege log to serve as exemplars for the Court’s *in camera* review, and to submit those sixteen documents to the Court (along with the privilege log) by December 11, 2023. *Id.* Plaintiff writes to inform the Court that she found only eleven documents responsive to the Subpoenas in the time period designated by the Court. Because there is no need to meet and confer with Defendant DeRosa to select sixteen exemplars, Plaintiff will instead submit all eleven documents to the Court for *in camera* review.

We thank the Court for its time and consideration.

Dated: December 6, 2023

Respectfully submitted,

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cc: All Counsel of Record (via ECF)